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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARLENE MARILYN RAZZARI,
Plaintiff,
v.
NANCY A. BERRYHILL,
Defendant.

Case No. 16-cv-02945-JCS

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

Plaintiff Arlene Marilyn Razzari brought this action challenging an adverse administrative decision by Defendant Nancy A. Berryhill, Acting Commissioner of Social Security (the “Commissioner”). The Commissioner filed an answer and a copy of the administrative record on September 26, 2016, resulting in a deadline of October 14, 2016 for Razzari to file her motion for summary judgment pursuant to Civil Local Rule 16-5. Five days after that deadline, the parties submitted a stipulation extending the time for Razzari to file her motion to December 20, 2016, and the Court issued an order to that effect. Two days after that deadline, the parties submitted a stipulation further extending Razzari’s motion deadline to February 10, 2017, and the Court again issued an order to that effect.

More than two months have passed since that twice-extended deadline and Razzari has not filed a motion for summary judgment. The Court recognizes that Razzari’s counsel has faced exceptionally difficult personal circumstances during this time, and extends its sympathy for the death of counsel’s wife. Counsel nevertheless has a duty to represent his client in this action or to allow her to find another attorney. Plaintiffs’ counsel is ORDERED to consult with his client to determine how she wishes to proceed. Thereafter, both parties are ORDERED to meet and confer regarding a schedule for the case. The parties shall file either a joint response or separate

1 responses to this order to show cause no later than April 28, 2017. The Court finds the matter
2 suitable for resolution without oral argument.

3 **IT IS SO ORDERED.**

4 Dated: April 11, 2017

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6 JOSEPH C. SPERO
Chief Magistrate Judge

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